



Board for Geologists and Geophysicists
2535 Capitol Oaks Drive, Suite 300A
Sacramento, CA 95833-2926
Telephone: (916) 263-2113
Email: Geology@dca.ca.gov
URL: www.Geology.ca.gov



MINUTES OF THE MEETING OF THE BOARD FOR GEOLOGISTS AND GEOPHYSICISTS

February 16, 2007

1625 North Market Boulevard
Suite S-102, Hearing Room
Sacramento, CA 95833

Board Members: William Black, President; Richard Blake, Vice-President; Shirley Husar; James Ashby; Shayan Samii; Jeffrey Schmidt; and Cecilia Yu.

1. Roll Call to Establish a Quorum

President Black called the meeting to order at 10:14 a.m. and established that a quorum was present. The following board members were absent: Shayan Samii and Jeffrey Schmidt.

2. Minutes – Consideration of adoption of minutes for December 8, 2006 and December 22, 2006 Board meetings.

Ms. Yu identified a typographical error in the December 8, 2006 minutes. There were no comments regarding the December 22, 2006 minutes. Ms. Yu moved to approve the minutes of the December 8, 2006 (as amended) and December 22, 2006 Board meetings. Mr. Blake seconded the motion. The motion passed with a 5-0 vote.

3. Executive Officer Report

Mr. Rempel reported that Board Office staff had undergone functional unit reorganization and identified the following functional units: administrative and logistical support, examinations, and professional standards.

A representative from the Department of Consumer Affairs Budget Office presented the Board with a budget update with current year and solvency outlook. The Board discussed options for increasing revenues.

Mr. Rempel reported that the examination costs were increasing for the next year and that the regulatory process would need to be initiated in order to offset the increased national exam costs. The Board directed staff to conduct an analysis regarding possible legislative changes corresponding to increases in examination costs. Mr. Rempel reported that an analysis of past years examination costs was in process in order to estimate the fiscal effects of offering the examinations twice yearly. President Black directed staff to place the topic on the agenda for the next scheduled Board meeting.

Mr. Dunfield presented the enforcement report and presented the Board with information regarding changes to application technical review procedures. The Board directed staff to take the following actions: to initiate a new procedure of notifying employers when citations are issued to their employees; to continue monitoring all licensure application received for

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compliance with minimum education and experience requirements; and to prepare a letter for the Board President's signature requesting ASBOG® to provide Member Boards sufficient notice of agenda items to facilitate timely review and discussion in advance of the Annual Meeting. Seena Hoose provided public comment regarding attendance at ASBOG® meetings.

Mr. Rempel reported that the Board had received an inquiry regarding nationwide hydrogeologist certification. Mr. Ashby moved to pursue a cooperative initiative with National Ground Water Association regarding hydrogeologist certification. Mr. Blake seconded the motion. The motion passed with a 5-0 vote.

4. Board Member Reports

Mr. Ashby and Mr. Blake provided the report from the 7847 Application Review Committee. The committee recommended that only one of the applications under consideration be approved and that the Board pursue legislation to remove the words "without examination" from that section of law. Further recommendations included: considering ASBOG® examination results taken in other states be considered equivalent on or after January 1, 2000, directing EO to develop new Board rules clarifying licensure pursuant to section 7847 and extending the moratorium until the law is changed. Dr. Ed Wallich asked the Board to comment on his application specifically and provided public comment. President Black recommended continuation of the moratorium until a regulation is developed which will serve until the law is changed. Mr. Ashby moved to adopt the committee's recommendations. Mr. Blake seconded the motion. The motion passed with a 5-0 vote.

President Black directed staff to inform applicants of decisions. Mr. Ashby moved to direct staff to develop a rule that the Board accept ASBOG® examinations on or after January 1, 2000. Mr. Blake seconded the motion. The motion passed with a 5-0 vote. The Board directed staff to look into options regarding those already licensed under this section. Mr. Ashby moved to continue the moratorium. Mr. Blake seconded the motion. The motion passed with a 5-0 vote. President Black directed staff to pursue removal of "without examination" from current law. Ms. Yu moved to do so. Ms. Husar seconded the motion. The motion passed with a 5-0 vote. Mr. Blake moved to send letters and appropriate refunds to 7847 applicants. Ms. Yu seconded the motion. The motion passed with a 5-0 vote.

President Black provided the report of the Legislative Committee. President Black, Mr. Ashby, Mr. Blake and Mr. Rempel attended a legislative meet and greet session at the Capitol on January 23, 2007 and met the Business and Professions Committee Chairs of both the Senate and Assembly.

Mr. Ashby provided the report of the Sunset Committee. Seena Hoose provided public comment and offered her assistance. Ms. Husar moved to provide the following directions: Sunset Committee to contact Senator Mark Ridley-Thomas and Assembly Member Mike Eng to discuss sunset review issues; Sunset Committee to utilize the expertise of previous Board member's Seena Hoose's sunset review experience to draft the current Sunset Review Report; Executive Officer to work with the Sunset Review Committee to prepare a draft sunset report for the May 18, 2007 meeting. Mr. Ashby seconded the motion. The motion passed with a 5-0 vote.

Mr. Blake moved to direct the Executive Officer to work with the Outreach Committee to develop and implement cost-effective and web-based Public Education and Consumer Outreach programs. Ms. Husar seconded the motion. The motion passed with a 5-0 vote. Seena Hoose, Charles Nestle and Tony Sawyer provided public comment. President Black directed staff to look into the feasibility of student internships for the Board.

Mr. Blake reported on the Strategic Plan and Board Member Procedures and Guidelines Committee. He stated that the committee would continue to work on revisions. The representative from the DCA Legal Affairs Office recommended using a facilitator to help create the Strategic Plan. Seena Hoose and Joe Mello, TAC Chair, provided public comment. Ms. Husar moved to have a facilitated symposium to develop the Strategic Plan. President Black clarified the motion to direct staff to contact DCA to obtain facilitator and then poll Board members for dates. The motion passed with a 5-0 vote. Ms. Husar moved to shelf the Board Member Guidelines topic until the next meeting. Mr. Blake seconded the motion. The motion passed with a 5-0 vote. The representative from the DCA Legal Office will provide examples of what has been done by other boards.

5. Standing Committee Reports

Tom Barry gave the Examination Committee report stating that the Committee was currently focusing on California Specific Exam questions and that review of question banks should be completed with 2-3 more meetings. President Black directed the committee to meet as often as needed.

Joe Mello, Chair, provided the Technical Advisory Committee report. The committee continues to work on continuing education requirements and expects a draft program to be ready for the next Board meeting. President Black directed the Committee to review the Strategic Plan and provide recommendations to the Board at the next meeting. President Black moved to reappoint committee members Mello, Crosby, Miele and Vyverberg whose current terms are expiring. Mr. Blake seconded the motion. The motion passed with a 5-0 vote.

Mr. Ashby moved to confirm the appointment of Tony Sawyer to the Enforcement Oversight Committee. Ms. Husar seconded the motion. The motion passed with a 5-0 vote. Mr. Sawyer presented modifications to the proposed language for Section 3065 Professional Standards. Charles Nestle provided public comment. Mr. Sawyer presented the specific modifications and asked the Board to approve as amended. Ms. Husar moved to adopt the modified language as amended. Mr. Blake seconded the motion. The motion passed with a 5-0 vote. The Board directed staff to prepare the regulatory package.

6. Closed Session

The Board went into Closed Session to discuss personnel matters, examination procedures and results, administrative adjudication, and pending litigation [pursuant to Government Code §11126(a) and (b), §11126(c)(1), §11126(c)(3) and §11126(e)(1)].

7. Open Session and Announce Results of Closed Session

President Black announced that the Board had appointed Mr. Rick Rempel, Professional Geologist, as the permanent Executive Officer.

8. Public Forum

Charles Nestle representing the California Council of Geoscience Organizations (CCGO) commended the Board's appointment of Executive Officer Rempel.

9. Adjourn

The meeting was adjourned at approximately 5:00 P.M.

William E. Black, Board President

Richard R. Rempel, Board Executive Officer

Date Approved: May 18, 2007